

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BERTA MUNDAY,

Plaintiff,

No. Civ. S- 04-0593 FCD/PAN

v.

PACIFIC BELL DIRECTORY, et al.,

Defendants.

ORDER FOR SANCTIONS
and FURTHER ORDER TO CAUSE

On November 7, 2005, plaintiff's counsel, Roxanne R. Fritz, was ordered to show cause why she should not be sanctioned in the amount of \$ 300.00 (\$150.00 for her failure to comply with the court's September 14, 2005 order and for violation of Local Rule 5-133(a)). She was further ordered to meet and confer with defendant's counsel for the preparation of a joint status report and to file a response to the order to show cause by November 28, 2005.

On November 28, 2005, defendant's filed a separate status report and supporting declaration. Upon review of this briefing it appears that Ms. Fritz has continued to ignore the court's orders. Accordingly, the court makes the following orders:

1. Ms. Fritz shall pay sanctions in the amount of **\$300.00**. Payment should be in the form of a check made payable to the Clerk of the Court. The sum is to be paid personally by plaintiff's counsel **not later than ten (10) days** from the filing of this Order for Sanctions.

2. This sanction is personal to the attorney, is to be borne by her personally, and is not to be transmitted to the client by way of a charge of attorney's fees and/or costs.

3. Counsel shall read the Civil Rules of the Local Rules of the United States District Court for the Eastern District of California in their entirety **within thirty (30) days** of the filing of this Order for Sanctions.

4. Not later than **thirty (30) days** from the filing of this Order, plaintiff's counsel shall file a declaration attesting to her compliance with the terms of this Order.

The court makes the following further Order to Show Cause (OSC):

1. The status hearing and OSC hearing set for December 16, 2005 is VACATED.

2. Plaintiff's counsel is ordered to show cause why plaintiff's case should not be dismissed for failure to prosecute.

2. Plaintiff's counsel shall file a response to the order to show cause on or before January 6, 2006.

3. A hearing on this order to show cause is set for Friday, January 13, 2006 at 10:00 a.m.

IT IS SO ORDERED.

DATED: December 9, 2005.

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL, JR.
United States District Judge